

TOWN OF PINE LEVEL
MINUTES OF REGULAR
BOARD OF COMMISSIONERS MEETING
JANUARY 18, 2010
7:00 P.M.

CALL TO ORDER

Mayor Jeff Holt called a regular meeting of the Pine Level Board of Commissioners to order at 7:00 p.m. on Monday, January 18, 2010 at the Pine Level Town Hall.

ROLL CALL

COMMISSIONER KAREN ANDERSON
 COMMISSIONER JIMMY GARNER
 COMMISSIONER ANTHONY GUDAC
 COMMISSIONER PHIL PITTMAN
 MAYOR JEFF HOLT

STAFF PRESENT

Police Chief Keith Sparks, Recreation Coordinator Scotty Hayes, Zoning Administrator Dave Holmes, Town Clerk Sharon Thompson

INVOCATION AND PLEDGE

Commissioner Gudac gave the invocation, remembering in particular the recent earthquake in Haiti and the ensuing devastation, the loss of life and continuing deplorable conditions. Commissioner Anderson then led the Pledge of Allegiance.

AGENDA

ADDITIONS:

DELETIONS:

10. (B) JC Voluntary Agricultural District ordinance

MOTION TO ADOPT: Gudac

SECOND: Pittman

VOTE: unanimous

MINUTES: 12-14-09

MOTION TO ADOPT: Pittman

SECOND: Anderson

VOTE: unanimous

PUBLIC HEARING ON SCHLECHT SPECIAL USE PERMIT

The mayor then opened a required public hearing on a request from George Schlecht for a special use permit to allow a Planned Unit Development, said hearing having been duly advertised on December 30th and January 6th in *The Kenly News*. Mayor Holt said much time had already been spent in discussion with the developers, engineers and other consultants concerning the proposed Crocker Farm Development. He explained that the Pine Level

Planning Board gave a positive recommendation on the special use request at the December meeting. He asked if the Planning Board Chairman or Zoning Administrator wished to comment on the issue. Dave Holmes, Zoning Administrator, said the Planning Board reviewed the PUD and approved it unanimously. He said it would be Pine Level's first PUD, which acts somewhat like a zoning ordinance within itself. He is looking forward to the development getting underway. Nester McClain agreed that he would like to see it get started.

Berry Godwin, also a Planning Board member, questioned the drainage ponds and whether they would adequately control the water run-off from such a large development, once the water flows into the ditches on the highway. Dan Simmons noted that a ten-year study has already been done on the drainage and in ten years, it would not exceed what it is today. He said the developers had done everything asked of them. He said they asked for a ten-year study because they knew there were flooding problems downstream from Mr. Schlecht's development.

Dennis Blackmon, surveyor, commented that they certainly are in favor of the project. He introduced Willie Hood, Andrew Hodge, and Mr. Schlecht, and said they were all available to answer any questions. Mr. Schlecht introduced George Smith, who has administered senior facilities for 20-25 years, and said he was assisting with planning this project. Mayor Holt said they were glad to have all of them here tonight.

The mayor then asked if anyone was opposed to the development. Commissioner Pittman said he was not opposed to it, but he asked when it would get started. Mr. Schlecht said that was a good question, and he would like to say it would be this summer but he could not give a definite answer. Commissioner Anderson asked if they would start with lots 1 through 32. Andrew Hodge said they would start with the area that will gravity-feed to the sewer station. Commissioner Anderson asked what would be the minimum size of the cottage housing. Mr. Hood said the house size has not been determined, but the lots would be 60' wide. He said in Raleigh they usually use 50' lots but they felt 60' would be better in this market. Commissioner Gudac said they would be good for folks who want to downsize, or for those who don't want a large yard to maintain. He felt the independent living center would be especially nice.

Kevin Kornegay said he was in favor of the project, but he asked if the entrance would be landscaped in the beginning. He said some developments get held up for one reason or another and they never complete the entrance and leave the area looking bad. Mr. Hood said the entrance and signage would probably be one of the first things to complete, Mr. Blackmon agreed and said that was like a drawing card.

Berry Godwin commented that the Planning Board has already recommended approval of the project, but he is still concerned over having only one entrance to the development. He felt the town should look at requiring an alternate entrance as the development fills up. He said there would be a lot of people living there and he did not want to see a problem develop in the future. Sal Navarro stated that the NCDOT covered that issue since the entrance is on a state road and they have jurisdiction over that, not the town. Mr. Godwin said he was aware of that, but he was trying to shed light on the potential for a problem down the road. Andrew Hodge answered that there will be turn lanes on Peedin Avenue from both directions, and there would actually be two lanes in and out that could be utilized if an emergency should arise. Berry Godwin said he would still like to see the town work with the DOT and be proactive on the project. He said the town should be aware of the potential for a bottleneck. Dennis Blackmon also said there would actually be two lanes in and out of the development. He said this idea was not new and it has been used before and it does work. He said if the DOT requires a third lane on Peedin Road in the future, the developer would have to address that issue at a later date. Mr. Godwin said Peedin Road was going to be the main road to Pine Level, with all the road changes that DOT is proposing at Highway 70.

The board then voted unanimously to close the public hearing.

MOTION TO CLOSE HEARING: Gudac

SECOND: Anderson

VOTE: unanimous

Upon reconvening in regular session, Commissioner Pittman moved to accept the December Planning Board recommendation and to approve the request for a special use permit for the Crocker Farm development.

MOTION TO APPROVE: Pittman

SECOND: Garner

VOTE: unanimous

Mayor Holt said he looked forward to the development getting started. Mr. Schlecht announced he was open to suggestions for naming the development. Mayor Holt thanked everyone for his or her participation in the hearing.

PUBLIC COMMENT

Walter Martin then addressed the board concerning the "Yes We Can" Johnston County Coalition, Inc. Mr. Martin said they would hold their fifth and final meeting this Thursday night at the local elementary school. He said they were gathering information about organizations and what type of services they offer in case citizens are in need of assistance. They hope to place an office in all areas of the county. Mr. Martin felt it would be a great benefit to the county and he invited everyone to attend the meeting. Mayor Holt thanked Mr. Martin for his input.

Carroll Kornegay was next to address the board. He commented on the town's public works employees. He said it has been extremely cold in recent weeks but they have worked right on through the cold weather. He commended their efforts and said he was impressed with their work ethic. He said he just wanted to give them a public thank you.

Terry Rains agreed with Mr. Kornegay and said the employees do deserve a pat on the back. Mr. Rains asked about buildings in town being condemned and scheduled for demolition. He heard the old Styron building was one of those to be done away with, but he said it was an historical site and the town should preserve it. Mayor Holt said the town had no plans for condemnation or demolition of any buildings that he was aware of. Commissioner Gudac felt that property owners must request for property to be listed as historic sites. He said he often sees that particular property owner and he would ask him about the old Styron building.

Berry Godwin also said that Pine Level has the best public works department in Johnston County and good staff in the administrative office, too. Commissioner Anderson asked about the old oil mill property, now owned by the Mayo family. She asked if there were any plans to clean it up, since she has received several complaints on the property. Dave Holmes commented that Johnston County has looked at that property one time before, but they backed off on condemning it. Commissioner Anderson felt that the town needs to look into it and find out what is going on with the property. Commissioner Gudac said he had no problem with that, but he said to go after every problem property, not just one. Mayor Holt said that Mr. Holmes had been more active in that area in the past and the town had backed off what they wanted him to do. He said they could direct Mr. Holmes to pursue those properties, if that was the direction the board wanted to take. Dave Holmes said there was one other property he brought before the board in the past, where the owner lives in Maryland. He said it was in bad condition and the structure behind it, where Herbie Butler resides, should be demolished too. He said it would take money to tear down the old buildings and the town might never recoup what must be spent. Mayor Holt asked Mr. Holmes to talk with the property owners and find out if they have any plans to restore any of the old buildings.

Commissioner Pittman commented that the town had lost one of its long time civic leaders in the last week, Mr. Tommie Garner. Mr. Garner (grandfather to the current Commissioner Garner) served twenty-four years on the Board of Commissioners and was faithful to the community, and he will be missed.

REPORTS FROM DEPARTMENTS

STREETS: Commissioner Garner. He agreed that the public works guys do a good job for the town, and he often feeds them on Friday when he is off work. He recommended that streetlights be installed on Cut Across Road. He said there were five poles where lights could be added and he felt lighting up the area would curtail any possible criminal activity in the area. The board unanimously approved the recommendation for street lighting.

MOTION: Garner
SECOND: Gudac
VOTE: unanimous

RECREATION: Commissioner Anderson. Recreation Coordinator Scotty Hayes said there are 12 basketball teams playing, plus one cheerleading team. Spring sports sign-up just getting started, for ages 4-18. Asked about July Fourth celebration, since it falls on Sunday this year. Mayor Holt said the holiday would be observed on Monday, July 5th.

POLICE: Commissioner Gudac. Met with chief and full-time officers; got suggestions and wishes from the police department. Hope to move forward with some ideas. Community Watch meeting Tuesday night at the Town Hall at 7:00 p.m. Hope to educate citizens to use 9-1-1 system. Working on some topics that are not general information

right now. Chief Sparks said he was noticing more lights on at night and more calls coming in about people walking at night. Also said there are dark areas in LaBelle Acres that need more streetlights.

WATER/SEWER: Commissioner Pittman. Infiltration problems still exist in sewer system; cold weather has kept public works from operating camera in lines. Considered issue with rental properties in town where water has been used, but the owners claim it is not their responsibility. Suggested locking or removing the meters to stop water usage because only town employees are to turn on/off water meters. Also suggested charging a one-time fee of \$25.00 to owners who want to clean up vacant rental properties, and if they use no more than 1,000 gallons, and charging a regular garbage fee if any refuse is placed by the street for pick-up. Kevin Kornegay suggested some method of rollover on an account so it would go to the owner. Commissioner Pittman said the town runs into the problem of turning off water and then reading the meter and finding water has been used anyway, and the town needs to make them accountable. Commissioner Garner suggested that the garbage cart could be picked up when the water is turned off. The board unanimously approved Commissioner Pittman's suggestion.

MOTION: Pittman
SECOND: Garner
VOTE: unanimous

USDA/TOWN HALL PROJECT

Dan Simmons reported that the USDA needs a letter of commitment from the town. He said they should be at the February meeting for the board to act on the funding. He also said the board would need to hold a public hearing and make the plans public for the town hall. Mr. Simmons said the proposed interest rate was the lowest he has seen in a long time. The board voted unanimously to call for a public hearing at the February meeting.

MOTION: Garner
SECOND: Anderson
VOTE: unanimous

REQUEST FOR ZONING AMENDMENT

The board then considered a request from Bob and Tracy Harned for a change to the text of the town's Zoning Ordinance, to allow equestrian use in RA, on their property and/or on 10-acre minimum parcels north of Main Street and east of North Peedin Avenue. Mayor Holt directed the Planning Board to review the request at their January meeting and the board called for a public hearing on the request at the February meeting.

MOTION: Gudac
SECOND: Pittman
VOTE: unanimous

PINE SOUTH II ISSUES

Next the board heard from Wade Braswell concerning Pine South II. Mr. Braswell said he grew up near Pine Level and he considered it home. He informed the board that the unpaved cul de sac in Pine South II should be paved on January 25th. He also said the silt ponds were required by the NC Division of Water Quality. He said when the development is 75% built out, they will come back and review the development and allow him to re-grade the silt ponds. He asked about maintenance of the street ROW's in Pine South II. He thought the town should be maintaining the streets since they now belong to the town. He asked about the zoning administrator's denial of recent zoning permits. He said the town required him to put up a letter of credit for the development and they could have taken that money and used it to complete the development, if necessary, instead of denying the zoning permits for the contractors. He also asked about the piece of property he gave to the town for the sewer pump site, since the deed said the town would put recreation equipment on the property within one year of the deed being recorded. Mayor Holt agreed that the town had been dragging their feet on their part of the agreement. Commissioner Anderson agreed to take care of the recreation area as soon as she could talk with Scotty Hayes and get prices on recreation equipment.

WATER TANK FINANCING

Dan Simmons informed the board that the Local Government Commission approved the bond sale and financing for the town's new water tank. He said he forwarded the contract to them and the LGC sought bids on the financing, receiving the lowest proposal from Southern Bank in Mt. Olive, NC at 2.35% interest rate. He talked with Phoenix and they were eager to get started on constructing the new tank. Bonds should be sold by the end of this month, according to Mr. Simmons. Mayor Holt said he met several times with Mr. Simmons and talked on the telephone with him, the LGC, and the town's bond counsel. He said when Mr. Schlecht gets going on the Crocker Farm project, which has 271 lots, they will need a good deal more water supply. Mr. Simmons said the town should see about a 10-lb. Increase in water pressure when the new tank is completed.

The board then considered a bond resolution provided by the firm of Williams Mullen, to approve a BOND ORDER AUTHORIZING THE ISSUANCE OF WATER SEWER SYSTEM REVENUE BONDS OF THE TOWN OF PINE LEVEL IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$975,000.00 FOR THE PURPOSE OF FINANCING CONSTRUCTION OF A 300,000 GALLON ELEVATED WATER STORAGE TANK. The board voted unanimously to adopt the bond resolution.

MOTION TO ADOPT: Gudac

SECOND: Anderson

VOTE: unanimous

PRINCETON INVITE

Mayor Holt noted one last item of business. He stated that the Town of Princeton has invited Pine Level board members and town clerk to meet with them on Saturday, February 6th, from 8:30 a.m. to 2:30 p.m. for a planning session. He said each member could decide whether they want to attend and let him know, so Princeton can be informed prior to February 1st.

ANNOUNCEMENTS

Mayor Holt welcomed Colin Campbell to the meeting. Mr. Campbell is a reporter for the Smithfield Herald. He also welcomed Cami Narron, from the Kenly News.

ADJOURNMENT

There being no further business, at 8:15 p.m. the meeting was adjourned.

MOTION TO ADJOURN: Garner

SECOND: Gudac

VOTE: unanimous

TOWN CLERK

MAYOR